

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DAYANA GARCIA, individually and on §  
behalf of all others similarly situated §  
pursuant to 29 U.S.C. § 216(b), §

Plaintiffs, §

v. §

Civ. Action No. 3:23-CV-1585-K

FUENTES RESTAURANT §  
MANAGEMENT SERVICES INC. d/b/a §  
Gloria's Restaurant, GLORIA'S §  
RESTAURANT LAS COLINAS LLC §  
d/b/a Gloria's Restaurant, NANCY §  
FUENTES FAIRVIEW INC. d/b/a §  
Gloria's Restaurant, and JOSE §  
FUENTES, §

Defendants. §

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has made an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge dated May 29, 2024, on Defendants' Motion to Compel Individual Arbitration and to Dismiss with Prejudice (Doc. No. 18). After considering Defendants' Objections to the Findings and Recommendation of the United States Magistrate Judge and the related responsive briefing and after making a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to

which objections were made, the objections are **OVERRULED**. The Court finds that the Findings and Recommendation of the Magistrate Judge are correct and they are **ACCEPTED** as the Findings, Conclusions, and Recommendation of the Court.

**IT IS, THEREFORE, ORDERED** that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted.

Defendants' Motion to Compel Individual Arbitration and to Dismiss with Prejudice (Doc. No. 18) is **DENIED**.

**SO ORDERED.**

Signed July 29<sup>th</sup>, 2024.

A handwritten signature in cursive script, reading "Ed Kinkeade", written in black ink.

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ED KINKEADE  
UNITED STATES DISTRICT JUDGE